

SENATE BILL 15

P3
SB 833/12 – EHE

EMERGENCY BILL

3lr3546

By: **Senators Pipkin and Kittleman**
Introduced and read first time: August 9, 2012
Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Regulations – Fees and Fines – Legislative Approval Required**

3 FOR the purpose of prohibiting a certain regulation from taking effect until the
4 General Assembly takes certain action; making this Act an emergency measure;
5 and generally relating to the effective date of regulations.

6 BY repealing and reenacting, with amendments,
7 Article – State Government
8 Section 10–117
9 Annotated Code of Maryland
10 (2009 Replacement Volume and 2011 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article – State Government**

14 10–117.

15 (a) (1) Except as otherwise provided in subsection (b) **OR (C)** of this
16 section or in other law, the effective date of a regulation is:

17 (i) the 10th calendar day after notice of adoption is published in
18 the Register; or

19 (ii) a later date that the notice sets.

20 (2) For calculation of the effective date under this subsection:

21 (i) Article 1, § 36 of the Code does not apply;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) the issue date of the Register in which the notice is
2 published is not counted; and

3 (iii) each other calendar day, including Saturdays, Sundays, and
4 legal holidays, is counted.

5 (b) The effective date of a regulation after its emergency adoption is the date
6 that the Committee sets.

7 **(C) NOTWITHSTANDING ANY OTHER PROVISIONS OF LAW, A**
8 **REGULATION THAT INCREASES A FEE OR FINE THAT A UNIT IS AUTHORIZED TO**
9 **IMPOSE MAY NOT TAKE EFFECT UNTIL THE GENERAL ASSEMBLY APPROVES**
10 **THE INCREASE THROUGH LEGISLATION ENACTED INTO LAW.**

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
12 measure, is necessary for the immediate preservation of the public health or safety,
13 has been passed by a ye and nay vote supported by three-fifths of all the members
14 elected to each of the two Houses of the General Assembly, and shall take effect from
15 the date it is enacted.